

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK**

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**IN RE JUDY BRISCO**

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**IRVIN L. BRISCO,**

**Appellant,**

**-against-**

**REGIONS BANK, f/k/a First Commercial  
Bank of Memphis, N.A.,**

**Appellee.**

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**GERSHON, United States District Judge:**

By order dated March 24, 2005, the court set a briefing schedule for the instant appeal, pursuant to which appellant was directed to serve and file a brief by April 8, 2005. To date, appellant has not filed a brief. By order dated May 26, 2005, appellant was ordered to show cause, in writing, by June 13, 2005, why this appeal should not be dismissed for failure to prosecute. A copy of that order, mailed to appellant's last known address, was returned to the court as undeliverable with the notation "Boarded Up." Appellant has not responded to the order to show cause.

Because appellant has made no attempt to communicate with the court since his initial filing on March 16, 2005, the court concludes that he has abandoned this appeal. Accordingly, the action is dismissed for failure to prosecute. The Clerk of Court is directed to close this case.

**SO ORDERED.**

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/S/  
**NINA GERSHON**  
**United States District Judge**

Dated: Brooklyn, New York  
June 20, 2005

**05 CV 1453 (NG) (RLM)**

**ORDER**